



09-09-04

Page 1 of 2

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/815,127	03/31/2004	Ashish A. Patel	G-33712P1

CONFIRMATION NO. 9219

001095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 430/2
EAST HANOVER, NJ 07936-1080

FORMALITIES LETTER



OC000000012928824

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

09/10/2004 NHEKONEN 00000040 190134 10815127

01 FC:1051 130.00 DA

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV540155035US
Express Mail Label Number

9/8/2004
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

PATEL ET AL.

APPLICATION NO: 10/815,127

FILED: MARCH 31, 2004

FOR: BILAYER TABLET COMPRISING AN ANTIHISTAMINE AND A
DECONGESTANT

MS: Missing Parts

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

The Notice to File Missing Parts of Application mailed June 14, 2004 (a copy of which is enclosed) has a shortened statutory time set to expire on August 14, 2004.

A one-month extension is hereby requested pursuant to 37 CFR §1.136(a). Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$110 for payment of the extension fee.

In response, applicants now submit an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 19-0134 in the name of Novartis.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
(862) 778-7945
Date: 9/8/2004

John Thallemer
John D. Thallemer
Attorney for Applicants
Reg. No. 34,940